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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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REPLY TO THE ATTENTION OF: SRF-5J

Mr. Johnny W. Reising
United States Department of Energy
Fernald Area Office
P.O. Box 398705
Cincinnati, Ohio 45239-8705

Subject: Disapproval of Remedial Design Package for Silo 3

Dear Mr. Reising:

The United States Environmental Protection Agency (EPA) has completed its review of the above-referenced document. The document, which is dated May 13, 2002 was prepared by the U.S. Department of Energy (DOE) and received by EPA and its contractors on May 20, 2002. The document describes the process of retrieving material from Silo 3, the material access and retrieval strategy, and the process controls. The document also includes a sampling and analysis plan for off-site waste shipments, a transportation and disposal plan, an environmental control plan, and health and safety controls.

The 1994 Operable Unit (OU) 4 record of decision (ROD) and its associated 1998 explanation of significant difference (ESD) require that Silo 3 waste be treated prior to off-site disposal. The remedial design (RD) package proposes to dispose of Silo 3 waste without treatment, inconsistent with the 1998 ESD. Also, it has not been demonstrated that either the Nevada Test Site or another legally-permitted commercial disposal facility can accept untreated Silo 3 waste for disposal. Until DOE can provide documentation that an appropriate facility has been secured for the disposal of untreated Silo 3 waste, and until a ROD amendment allowing the shipment and disposal of untreated Silo 3 waste is issued, the RD package cannot be properly reviewed.

Therefore, EPA disapproves the Silo 3 Remedial Design Package. EPA's general and specific review comments are enclosed. It is understood that DOE will be pursuing a ROD Amendment to revise the Silo 3 remedy in the near future. Considering this, DOE should submit a revised Silo 3 milestone strategy to EPA within 30 days. The strategy letter should summarize DOE's proposed Silo 3 revised remedy and propose milestones for submittal to EPA of the draft Proposed Plan, the draft Amended ROD and the draft Remedial Design Package for Silo 3. Please contact me at (312) 886-4591 if you have any questions.

Sincerely,

Gene Jablonowski
Project Manager
Federal Facilities Section
Superfund Division

cc: Tom Schneider, OEPA-SWDO
Sally Robinson, U.S. DOE-HDQ
Jamie Jameson, Fluor Fernald
Terry Hagen, Fluor Fernald
Tim Poff, Fluor Fernald

bcc: Mary Wojciechowski, Tetra Tech
Brian Barwick, ORC
Gene Jablonowski, SRF-5J
James Saric, SRF-5J

ENCLOSURE

TECHNICAL REVIEW COMMENTS ON
"TRANSMITTAL OF REMEDIAL DESIGN PACKAGE FOR SILO 3"

FERNALD ENVIRONMENTAL MANAGEMENT PROJECT

(Two Pages)

TECHNICAL REVIEW COMMENTS ON
"TRANSMITTAL OF REMEDIAL DESIGN PACKAGE FOR SILO 3"

FERNALD ENVIRONMENTAL MANAGEMENT PROJECT

GENERAL COMMENTS

Commenting Organization: U.S. EPA Commentor: Jablonowski
Section #: Not Applicable (NA) Page #: NA Line #: NA
Original General Comment #: 1
Comment: The 1994 Operable Unit (OU) 4 record of decision (ROD) and its associated 1998 explanation of significant difference (ESD) require that Silo 3 waste be treated prior to off-site disposal. Because the remedial design (RD) package proposes to dispose of the waste without treatment, the document cannot be approved. Until U.S. Department of Energy (DOE) can provide documentation that an appropriate facility has been secured for the disposal of the waste and a ROD amendment is issued, the RD package cannot be approved.

Commenting Organization: U.S. EPA Commentor: Jablonowski
Section #: NA Page #: NA Line #: NA
Original General Comment #: 2
Comment: The transportation and disposal plan discusses several options that will be considered if the Envirocare of Utah, Inc. (Envirocare) license modification is not obtained. These options have significant impact on the technical and cost aspects of the Silo 3 project. These impacts should be discussed in the transportation and disposal plan.

Commenting Organization: U.S. EPA Commentor: Jablonowski
Section #: NA Page #: NA Line #: NA
Original General Comment #: 3
Comment: The process vent system described in the RD package would use a number of manual dampers to control the air flow in the system. Typically, it is difficult to control air flow with manually operated dampers and constant speed fans. Because the pressure drop across the air filters will change as a result of increased loading (clogging), humidity fluctuations, and varying inflow rates, it may be difficult to maintain control over air flow rates within the system. The RD package should be revised to specifically discuss how the air flow rates will be controlled.

SPECIFIC COMMENTS

Commenting Organization: U.S. EPA Commentor: Jablonowski
Section #: 3.6 Page #: 3-4 Lines #: NA
Original Specific Comment #: 1
Comment: The text states that "as the analytical results become available, this information is either added to the label, or filed electronically by the bag's UNID." This statement implies that the bags must be stored somewhere until the analytical information is available. The text also states that labeled bags will be transported to the cargo container bay but does not say whether this will be done before or after analytical results are received. The text should be revised to clearly state when these bags would be moved. Also, the text should state that if the bags are moved before the analytical results are available, the bags will be accessible in the cargo container bay so that the analytical information can be added to their labels.

Commenting Organization: U.S. EPA Commentor: Jablonowski
Section #: 3.7 Page #: 3-4 Lines #: NA
Original Specific Comment #: 2
Comment: The text does not specify the time it will take to load a cargo container or how long loaded cargo containers will be stored before they are removed from the site. The text should be revised to include this information.